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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/998,173      | 12/03/2001  | Balas Natarajan Kausik | 053560-0006         | 6176             |

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EXAMINER

DONAGHUE, LARRY D

ART UNIT PAPER NUMBER

2154

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/998,173

Applicant(s)

KAUSIK ET AL.

Examiner

Larry D. Donaghue

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12/13/2004, 12/17/2004 and 02/22/2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>22/02/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

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1. Claims 1-45 are presented for examination.
2. The information disclosure statements (IDS) submitted on 01/29/2001, 10/04/2002, 12/17/2004, and 02/22/2005 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements were considered by the examiner.
3. Examiner acknowledges applicant's response to the Request for Information, filed 12/14/2004.
4. Figures 1-6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
5. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d).
6. The specification is objected to for the following reason: When there are drawings, there shall be a brief description of the several views of the drawings and the detailed description of the invention shall refer to the different views by specifying the numbers of the figures, and to the different parts by use of reference letters or numerals (preferably the latter) (see 37 CFR 1.74 Reference to drawings).
7. Applicant is requested to update the status of each co-pending application recited in the specification.
8. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
9. Claims 16 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
10. Both claims recited "said user recited in the last step of claim 1", there is no user in the recited in the last line of claim 1. No art will be applied to claims 16 and 17.

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11. Claims 34,26-27, 15, 37, 41,42,45, and 30-31 recites the limitation said object. There is insufficient antecedent basis for this limitation in the claim. Should read said embedded object.

12. Claims 34,26-27, 15, 37, 41,42,45, and 30-31 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

14. Claims 1-8, 12-13, 18-21, and 22-25 are rejected under 35 U.S.C. 102(a) as being anticipated by CacheOS Server Edition 1.0 Management and Configuration Guide, (CacheFlow).

CacheFlow taught the invention as claimed, including method for operating a proxy disposed between a user and a document accessible to said user over a computer network, comprising: obtaining an electronic document: identifiable by a network address of said document; including one or more references to one or more embedded objects; each said one or more embedded objects being identifiable by a preexisting network address therefor ( page 47, section titled Akamaization) , for at least one of said one or more embedded objects, facilitating storage and re-use thereof from a cache accessible to said user, without requiring user validation of said one or more embedded objects upon said reuse (page 1, section titled ACTIVE CACHING, 2<sup>nd</sup> para.) , by: specifying a new network address uniquely identifying said one or more embedded objects (page 53, section titled pruneURLQUERY 2nd para.) ; and specifying cacheability information for said one or more embedded objects (page 61-63); and modifying said document by replacing said preexisting address for said one or more embedded objects with said new network address (page 53, section titled pruneURLQUERY 2nd para.).

As to claims 2,19 and 23, CacheFlow taught occurring automatically in response to said user request for said document (page 1, section titled Akamai Freeflow Network Support).

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As to claims 3, 20, and 24, CacheFlow taught proxy is implemented as an intermediary server located between a computer of said user and a server of said document (page 3, section titled CACHING).

As to claim 4, 21 and 25, CacheFlow taught said new network address has at least a portion in common with said preexisting network address (page 53, section titled pruneURLQUERY 2nd para.).

As to claim 5, CacheFlow taught said cacheability information includes a long expiry date (page 61, section titled cacheEDuration (see Example:cacheDuration= Infinite.)

As to claim 6, CacheFlow taught said cacheability information includes a long maxage parameter .

As to claim 7, CacheFlow taught said cacheability information includes a relatively recent last modified date (page 61, section titled generateCacheMissWith, see Valid Values:...LastModifiedTime...).

As to claim 8, CacheFlow taught said cacheability information includes how long said object can be cached without revalidation (page 61, section titled cacheEDuration).

As to claim 12, CacheFlow taught comprising storing said one or more embedded objects at said proxy for later use (page 47, section titled Akamaization).

As to claim 13, CacheFlow taught validating said one or more embedded objects that are stored against a server thereof (page 55-56, section titled checkModifiedTimeInterval)

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over CacheOS Server Edition 1.0 Management and Configuration Guide, (CacheFlow) as applied to claims 1, 12, and 13 above, and further in view of Microsoft Press Computer Dictionary .

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CacheFlow did not expressly teach the use of condensation techniques. It would have been obvious to one of ordinary skill in the art to use condensation techniques as it would improve the efficiency of the data transmissions.

17. Claims 9, 28, 29, 32-33, 35-36, 38-39 and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over CacheOS Server Edition 1.0 Management and Configuration Guide, (CacheFlow) as applied to claims 1-8, 12-13, 18-21, and 22-25 above, and further in view of Fast Internet Content Delivery with FreeFlow (Akamai).

The reference taught method for operating a proxy disposed between a user and a document accessible to said user over a computer network, in order to facilitate re-use of objects within said document from a cache instead of necessarily requiring downloading said objects upon each use CacheFlow, page 1, section titled ACTIVE CACHING, 2<sup>nd</sup> para., ; page 47, section titled Akamaization) ), comprising: obtaining an electronic document; identifiable by a network address of said document; (Akamai, page 3, figure 1) including one or more references to one or more embedded objects (Akamai, page 5-6, section 3); each said one or more embedded objects being identifiable by a network address therefore (Akamai, page 5-6, section 3); for at least one of said one or more embedded objects, facilitating storage and re-use thereof from a cache accessible to said user, without requesting said one or more embedded objects upon said use revalidation (Cache flow, page 61, section titled cacheEDuration), by specifying cacheability information (CacheFlow, page 61-63) for said one or more embedded objects that: permits caching thereof (CacheFlow, page 38); including an entity tag uniquely identifying said one or more embedded objects (Akamai, page 5-6, section 3); and specifies a required validation of said one or more embedded objects (Cache flow, page 61, section titled cacheEDuration).

18. It would have been obvious to combine these two references as it is expressly taught in the CacheFlow reference.

19. As to claim 9, Akamai taught proxy is co-located (page 4, section 2).

20. As to claim 28, Akamai taught transmitting a version to the User (page 5-6 section dealing with Object data).

21. As to claim 32-33, 35-36, 38-39 and 43-44, Akamai taught transmitting the modified object to the user and receiving a user request for at least one of said embedded objects (page 3, fig. 1).

22. As to claim 40, Akamai taught resources for transmitting said cacheability information to said requesting user (Akamai, Figure 1, page 3, page 5-6, section 3, see ARL and data object).

23. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over CacheFlow and Akamai as applied to claims 1 and 9 above, and further in view of Danneels (6,038,598).

The previously cited reference do not expressly teach the document is dynamically generated at said server

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and said dynamic generation includes executing a programmatic description of said document in conjunction with data for at least one variable in said programmatic description (col. 1, lines 33-47). It would have been obvious to one of ordinary skill in the Art to modify CacheFlow and Akamai with the teachings, of Danneels to allow for customized presentation of the web document.

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tewari et al., On the Effectiveness of DNS-based Server Selection,

Mikhailov et al. Embedded Objects in Web Pages

Tsimelzon 6,834,306

Datta 2004/0128618

Datta 6,622,168

Jungck 6,829,654

Crow et al. 6,442,651

Karger et al. 6,553,420

Mohan et al. 6,505,230

Chamberlain et al. 6,408,360

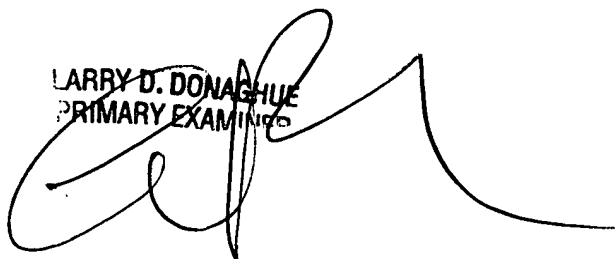
25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry D. Donaghue whose telephone number is 571-272-3962. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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LARRY D. DONAGHUE  
PRIMARY EXAMINER

A handwritten signature in black ink, consisting of a large, stylized 'L' followed by a series of loops and a long horizontal stroke extending to the right.